REMARKS

This paper is in response to the Office Action of June 24, 2007. The due date for response extends to September 24, 2007. Reconsideration in view of this amendment is respectfully requested.

Claims 41-47 were rejected under 35 USC § 102(e), as being anticipated by Curran et al. (US 6,753,849). This rejection is respectfully traversed.

As amended, independent claim 41 is directed toward a system. The system includes an input device for interfacing with a computing device. The input device has a body, a light emitting diode (LED) affixed to the body of the input device, a power supply for the LED, and a mode change activator integrated into the body of the input device. The mode change activator is configured to cause a variation of a light originating from the LED, such that variation is capable of being detected to cause a mode change at the computing device. The system further includes a display screen that is configured to illustrate objects and an image capture device placed at a location of the display screen. The image capture device is configured to capture the LED of the input device when directed toward the display screen to enable interaction with illustrated objects as a result of the mode change. The mode change is a result of the LED of the input device changing from one color to another color, and the mode change is discontinued when the changing in light reverts back to an original color or another color, as triggered by the mode change activator of the input device.

In view of these amendments, it is submitted that that Curran et al. fails to teach or suggest the claims. Curran et al. is directed toward a system that emits IR signals to a beacon 12. The beacon 12 is placed on the monitor and the user selects combinations of button selections on a remote to cause activity. The Examiner is referred to col. 3, lines 12-45, where Curran et al. teaches that the user is required to select certain buttons to cause mouse and cursor movements. Additionally, the now claimed system defines the use of an image capture device placed at a location of the display screen. The beacon is not an image capture device. Additionally, as Curran is teaching the use of IR, color changes between one color and another are not being tracked. Although there are now several other distinguishing features being claimed in independent claim 41, the Applicant submits that Curran et al. fails

to teach each element of amended claim 41. Accordingly, the Applicant respectfully requests that the Examiner withdraw the Section 102 rejection.

Claims 1-40 were rejected under 35 USC § 103(a) as being unpatentable over Pryor (US 2006/0033713 A1) in view of Curran et al. In view of the clarifying amendments, this rejection is respectfully traversed. Claims 19-33 have been cancelled without prejudice, rendering the rejection of these claims moot.

Pryor teaches a system for detecting the position of objects or people in front of one or more cameras. Pryor implements retro-reflective tape that can be illuminated by a light source and then identified by the camera. The retro-reflective tape can be worn by users or applied to objects. The one or more cameras are then directed toward the tape to determine position, relative position and movement. However, Pryor specifically *teaches away* from using LED lights. The Examiner is respectfully referred to paragraph [0106], where Pryor mentions the drawbacks of using LEDs, as they are expensive and retro-reflective tape is better.

In paragraphs [0149-0152], Pryor discusses the possibility of tracking a moving target. Tracking a moving target is difficult for Pryor, as it uses retro-reflective tape. One issue is tracking a target that does not move. To solve this problem, in paragraph [0151], Pryor teaches that *if the target does not move*, "artificial" movement will be introduced. The way Pryor introduces artificial movement is by flashing LEDs ON and OFF. Another way of introducing artificial movement is by changing the color of the target. Each of these effects are detected using image subtraction. Thus, Pryor's use of LEDs and color are for the purpose of continually tracking. No change in mode is triggered in response to an LED change or color change, as these flashing lights are only continually flashing to introduce artificial movement.

Indeed, the teachings of Pryor contradict the use of LEDs in the now amended claims. The LEDs of the claimed invention are monitored and tracked by a camera while in one state or color. Only when the move to another state or color does the system determine that a mode change is required. For at least this reason, Pryor's use of LEDs is not suitable for dictating an input command. And in fact, as noted above, Pryor would discourage the use of LEDs. The additional teachings of Curran et al., in combination of Pryor, still do not teach the now

claimed invention. Each of independent claims 1, 11, and 34 were amended to more particularly define the mentioned claim aspects of the present invention.

In view of the foregoing, the Applicant respectfully requests reconsideration and allowance of the pending claims.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No SONYP030). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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